

BBS MEMO

Board of Building Standards

November 17, 1995

2321 West Fifth Ave., Box 825, Columbus, Ohio 43216

SEAL LAW UPDATE

The August 30, 1995, BBS Memo, "Seal Law Effective November 24, 1995," stated that proposed revisions to rule 4101:2-1-20, "Construction Documents, required evidence of responsibility," would require all construction documents submitted under the OBBC to bear the seal of a registered design professional. It also stated that there were exceptions to the seal requirements, and that a public hearing was to be held on November 3, 1995.

As a result of the public hearing, proposed rule 4101:2-1-20 will be refiled. Parties involved in the bill's development will meet to define the exceptions to the seal requirement. Based on input received through this date, it seems that the intent of the legislation was to permit some types of construction documents (other than maintenance and minor repair items) to be submitted without the seal of a registered design professional. The results of the upcoming meeting will be reported in a future "BBS Memo," and will include the rule to be refiled with text that more clearly defines the intent of the seal law.

Proposed revisions to the OBBC were based on language contained in Substitute House Bill No. 231, which reads:

"The seal of an architect registered under Chapter 4703. of the Revised Code of an engineer registered under Chapter 4733. of the Revised Code shall be required for any plans, drawings, specifications, or data submitted for approval, unless the plans, drawings, specifications, or data may be prepared by persons other than registered architects pursuant to division (C) or (D) of section 4703.18 of the Revised Code, or by persons other than registered engineers pursuant to division (C) or (D) of section 4733.18 of the Revised Code.

No seal shall be required for any plans, drawings, specifications, or data submitted for approval for any buildings or structures subject to the requirements of section 3781.181 of the Revised Code, exempt from the requirements of sections 3781.06 to 3781.18 and 3791.04 of the Revised Code, or erected as industrialized one-, two-, or three-family units or structures within the meaning of "industrialized unit" as defined in section 3781.10 of the Revised Code.*

No seal shall be required for approval of any improvement, alteration, repair, painting, decorating, installation of replacement equipment or systems, or other modification of any buildings or structures subject to sections 3781.06 to 3781.18 and 3791.04 of the Revised Code where no plans or specifications are required for approval."

* Note: This section of Revised Code establishes requirements for energy conservation in 1-, 2-, and 3-family dwellings

Because the seal law becomes effective on November 24, 1995, and until the language in rule 4101:2-1-20 can be resolved, building officials should consult their city attorney or county prosecutor to determine how to enforce Section 3791.04 of the ORC.